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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: Mitsuru UESUGI et al. Group Art Unit: 2631

Appln. No.: 10/069,009 Examiner: F. Aghdam

Filed: February 20, 2002

For: ADAPTIVE MODULATION COMMUNICATION SYSTEM

CERTIFICATION UNDER 37 CFR §1.97(e) (1)

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

In fulfillment of 37 CFR 1.97(d) (1) and (2) and 1.97(e) (1), it is hereby certified that each item of information contained in the attached Information Disclosure Statement was first cited in any communication (see the attached copy of a Supplementary European Search Report dated August 24, 2007) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

James E. Ledbetter
Registration No. 28,732

Date: October 18, 2007

JEL/jcw

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INFORMATION DISCLOSURE STATEMENT
AND FEE UNDER 37 CFR §1.17(p)

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the documents listed on the attached Form PTO 1449. All of the references cited are found on the Supplementary European Search report dated August 24, 2007.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

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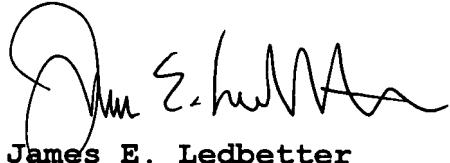
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The fee of \$180.00 set forth in 37 CFR §1.17(p) is enclosed (Check No. 1530).

The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fee (or credit any overpayment) to Deposit Account No. 19-4375.

Respectfully submitted,



Date: October 18, 2007

James E. Ledbetter
Registration No. 28,732

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